

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
Plaintiff)
vs.)
Nadine J. Griffin)
Defendant)
CASE NO. CR-05-10175-WGY
DECLARATION IN SUPPORT OF
RESPONSE TO UNITED STATES
MOTION TO DENY DISMISSAL

1. Nadine J. Griffin declares and states as follows:
2. I am the Accused *pro se*, hereinafter referred to as "Declarant" in the above-entitled action and competent to testify to the facts stated herein to wit:
3. That all statements made within this declaration are true and correct not meant to mislead.
4. That Nadine J. Griffin exists as a conscious living, breathing, feeling flesh and blood sentient being; NOT a statutory person, persons, natural person, artificial person, individual, corporation, entity, or any other sub-status, fourth class citizen *ens legis* creation of any government, federal, state, local or otherwise.
5. That Declarant is unschooled in law, not an Attorney or Bar Association member, and is attempting to defend and dispose of this action to the best of Declarant's ability with reliance upon your statutes, codes, rules and regulations; including those relied upon by the

1 plaintiff and established by the Constitution of the United States of America, United States
2 Congress, and the United States Supreme Court.

3 6. That on or about July 13, 2005 Declarant was formally charged under cause number CR-
4 05-10175-WGY for alleged violations of 26 U.S.C. § 7206, two counts of filing a false
5 returns for the tax years 1998 and 1999.

6 7. That Declarant's first appearance was without an attorney before this Court in a scheduled
7 arraignment on July 27, 2005 at 4:00 p.m., before Magistrate Judge Joyce London
8 Alexander.

9 8. That Declarant formally objected on the record to being arraigned by Magistrate Judge
10 Joyce London Alexander on a felony matter and filed an affidavit in objection to these acts
11 and Declarant was rescheduled to appear on August 11, 2005 to be arraigned once again.

12 9. That Declarant appeared on August 11, 2005 at the scheduled hearing, observed that
13 Magistrate Judge Joyce London Alexander remained on the bench, and immediately
14 objected to her arraigning the matter, as a de facto not guilty plea was entered on
15 Declarant's behalf against Declarant's direction.

16 10. That Declarant received partial "dump truck discovery" from Christopher Maietta
17 consisting of two large boxes on or about September 12, 2005, five days beyond the
18 automatic discovery date which expired on September 8, 2005.

19 11. That Declarant received an additional "dump truck discovery" from Christopher Maietta
20 consisting of one large box on September 24, 2005.

21 12. That on or about September 12, 2005 Declarant received a document titled Initial
22 Scheduling Order including a date to appear for the status conference scheduled pursuant to
23 court LR 116.1 through 116.5 on September 27, 2005 (see Exhibit A-1).

13. That Declarant appeared before Judge William G. Young on September 27, 2005 and was
 2 formally arraigned by the judge as stated in the Court Docket and affidavit on the record.

14. That the Court Docket entries reflect no indication for time exclusions for purposes of
 4 tolling the speedy trial rights of the Declarant between July 17, 2005 and September 27,
 5 2005, a total of 75 days lapse between the indictment and the arraignment.

15. That Judge William G Young specifically noted on the docket and in the Scheduling Order
 7 filed by Deputy Clerk Elizabeth Smith the time exclusion between the dates of 9/27/05 to
 8 5/1/06 for purposes of tolling the Speedy Trial Act (see Exhibit A-2).

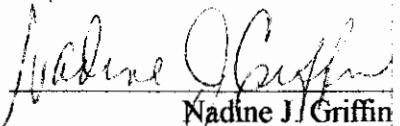
16. That Declarant believes that this is irrefutable evidence that no intent to exclude the time
 10 between July 13, 2005 through September 17, 2005 by written Orders, Electronic Clerk
 11 Entries, or otherwise was ever made by judge William G. Young or magistrate judge
 12 London Joyce Alexander.

17. That no formal written Order, Judgment or Decree of any kind relevant to disposing the
 14 Declarant's motions has ever issued as required under Fed. R. Crim. Proc. 12(d).

18. That Judge William G. Young has responded to all motions filed by the Declarant with
 16 Court Docket Entries only and no signed Order, no statement of any essential elements
 17 exist on the record, nor have such documents ever been served on the Declarant to date.

19. I, Nadine J. Griffin, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 (1), that
 20 the forgoing is true and correct.

22 Executed this 24th day of October 2005.

23 Signature: 

24 Nadine J. Griffin

25 C/o 13799 Park Blvd. North #244
 Seminole, Florida [33776-3402]

25 Attachments:

EXHIBIT A: Initial Scheduling Order and Initial Scheduling

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

CRIMINAL
NO. 05-10175-WGY

Plwt
marked
9/13/05

9/

NADINE GRIFFIN

INITIAL SCHEDULING ORDER

YOUNG,C.J.

The above named defendant(s) having been arraigned on 8/11/05 before ALEXANDER, USM, and having elected to proceed under the automatic discovery rules, IT IS HEREBY ORDERED in accordance with Local Rules (LR) 116.1 through 116.5 that:

- A. The government shall provide automatic discovery by 9/8/05 See LR 116.1(C).
- B. The defendant shall provide automatic discovery by 9/8/05 . See LR 116.1(D).
- C. Any discovery request letters shall be sent and filed by 9/22/05. See LR 116.3 (A) and (H).
- D. Any responses to discovery request letters shall be sent and filed by 10/6/05 . See LR 116.3(A).
- E. An initial status conference in accordance with LR 116.5 will be held on 9/27/05 at 2:00 p.m. in Courtroom No. 18 on the 5 floor.

As requested by the defendant, a Faretta hearing will be conducted at this time.

*All
Deputy*

By the Court,

9/12/05

/s/ Elizabeth Smith

Date

Deputy Clerk

(Crinsch1.wp - 11/24/98)

Ex 8 A-1

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Criminal Action
No: 05-10175-WGY

UNITED STATES
Plaintiff

v.

NADINE GRIFFIN
Defendant

SCHEDULING ORDER

YOUNG, C.J.

An initial status conference in accordance with LR 116.5 was held on 9/27/05

Any substantive motions are to be filed by 3/1/06. See LR 116.3(E) and (H).

Response to any motion is to be filed on or before 3/15/06. See LR 116.3(l).

A Final Pretrial Conference will be held on 4/3/06 @ 2PM

A tentative trial date has been set for MAY 1, 2006

The time between 9/27/05 and 5/1/06 is excluded in the interest
of justice.

By the Court,

/s/ Elizabeth Smith

Deputy Clerk

September 27, 2005 To: All Counsel

Ex A-2
24